

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- x

In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88
ECF Case

----- x

This document relates to the following case:

City of New York v. Amerada Hess Corp., et al.
Case No. 04 Civ. 3417

----- x

**DECLARATION OF MARNIE E. RIDDLE IN SUPPORT OF PLAINTIFF
CITY OF NEW YORK'S MOTION *IN LIMINE* NO. 4 TO EXCLUDE
EVIDENCE AND ARGUMENT RELATING TO THE RISKS, TOXICITY
OR ANY OTHER PROPERTIES OF ANY NON-MTBE SUBSTANCE**

Marnie E. Riddle, an attorney duly admitted to appear in this case, hereby declares under penalty of perjury:

1. I am an attorney with the law firm of Sher Leff LLP, counsel for Plaintiff City of New York ("the City") in the above-captioned matter. I submit this Declaration in support of Plaintiff City of New York's Motion *in Limine* No. 4 to Exclude Evidence and Argument Relating to the Risks, Toxicity or Any Other Properties of Any Non-MTBE Substance (hereinafter "Motion"). This Declaration authenticates the exhibits attached hereto and relied on in the City's Motion. In accordance with this Court's Individual Rules and Procedures, the exhibits have been excerpted to include only the relevant material. Copies of each of the exhibits appended hereto were made at my direction on or around May 11, 2009.

2. Attached as Exhibit 1 is a true and correct copy of selected pages from the Expert Report of Susan N. Mohr, M.D., M.P.H., submitted in the above-captioned case (March 9, 2009)

3. Attached as Exhibit 2 is a true and correct copy of selected pages from the Expert Report of Joseph V. Rodricks, Ph.D., DABT, submitted in the above-captioned case (March 9, 2009)

4. Attached as Exhibit 3 is a true and correct copy of selected pages from the Expert Report of Douglas McGregor, Ph.D., submitted in the above-captioned case (March 9, 2009)

On this 11th day of May 2009, I hereby declare under penalty of perjury under the laws of the United States that the foregoing statements are true and correct.

Dated: San Francisco, CA
May 11, 2009

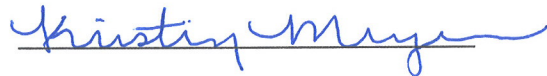
/s/ MARNIE E. RIDDLE
MARNIE E. RIDDLE (*pro hac vice*)
SHER LEFF LLP
450 Mission Street, Suite 400
San Francisco, CA 94105
Telephone: (415) 348-8300
Facsimile: (415) 348-8333
E-Mail: mriddle@sherleff.com

Attorney for Plaintiff City of New York

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the following documents were served on Liaison Counsel via Electronic Mail, and on all counsel of record by posting them directly to CM/ECF and LexisNexis File & Serve on the 11th day of May, 2009:

- 1) **PLAINTIFF CITY OF NEW YORK'S NOTICE OF MOTION AND MOTION *IN LIMINE* NO. 4 TO EXCLUDE EVIDENCE AND ARGUMENT RELATING TO THE RISKS, TOXICITY OR ANY OTHER PROPERTIES OF ANY NON-MTBE SUBSTANCE**
- 2) **MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF CITY OF NEW YORK'S MOTION *IN LIMINE* NO. 4 TO EXCLUDE EVIDENCE OR ARGUMENT RELATING TO THE RISKS, TOXICITY OR ANY OTHER PROPERTIES OF ANY NON-MTBE SUBSTANCE**
- 3) **[PROPOSED] ORDER GRANTING PLAINTIFF CITY OF NEW YORK'S MOTION *IN LIMINE* NO. 4 TO EXCLUDE EVIDENCE AND ARGUMENT RELATING TO THE RISKS, TOXICITY OR ANY OTHER PROPERTIES OF ANY NON-MTBE SUBSTANCE**
- 4) **DECLARATION OF MARNIE E. RIDDLE IN SUPPORT OF PLAINTIFF CITY OF NEW YORK'S MOTION *IN LIMINE* NO. 4 TO EXCLUDE EVIDENCE OR ARGUMENT RELATING TO THE RISKS, TOXICITY OR ANY OTHER PROPERTIES OF ANY NON-MTBE SUBSTANCE**



KRISTIN MEYERS